

REMARKS

The Office Action of March 4, 2004 has been carefully reviewed and these remarks are responsive thereto. Reconsideration and allowance of the instant application are respectfully requested.

Claims 1 and 29 have been amended, claims 28 and 31 have been canceled, and claims 32 and 33 have been added. Support for the amendment to claim 1 can be found at page 19, line 17; page 20, line 5; page 30, line 27 to page 31, line 7, and page 31, lines 20-25. Support for the amendment to claim 29 can be found at page 19, line 17; page 20, line 5; page 30, line 27 to page 31, line 7; page 31, lines 20-25; and page 34, lines 14-19. Support for claims 32 and 33 is found in original claims 1 and 29.

Claims 1-5, 8-12, 22-24, and 26-31 stand rejected under 35 U.S.C. 102(b) as being anticipated by Hennig (U.S. Patent No. 6,587,827).

Hennig discloses a system which routes an order from a customer to a preferred supplier, comprising client computer 10, network server 12, and supplier computer 14, which are connected via a network. According to Hennig's system, the customer can place an order for products to the client in person, by telephone, via the Internet, or the like (column 3, lines 40-46). The client, who has received the order from the customer, determines a preferred supplier for the product ordered. For example, the preferred supplier may be chosen based on one of the following criteria (column 5, line 49-column 6, line 3):

- * supplier with available inventory of the product and located in the same geographical area as the shipping destination specified by the customer order;
- * supplier not located in the same geographical area as the shipping destination specified by the customer order but with improving transportation efficiencies;
- * a plurality of suppliers in case that the customer order is for a large amount of product that may not be available at one supplier;
- * a plurality of suppliers in case that the customer order may specify several different shipping destinations that may not be convenient to a single supplier.

Hennig is not related to distributors (dealer, wholesaler, etc.) as intermediaries between customer and supplier. The claimed invention, on the other hand, provides a system that improves the efficiency of business transactions between customers, suppliers, and *intermediate distributors* (dealer, wholesaler, etc.) intervening between the customers and the suppliers.

More specifically, the instant claims provide a system for supplying merchandise items ordered by customers through merchandise distribution routes (corresponding to dealer, wholesaler, supplier, etc.) specified for each of the customers ordering the merchandise items and for each of the ordered merchandise items (or each category of the merchandise items.) Then, the system acts to transmit respective order signals to the dealer, wholesaler, and/or supplier involved in each of the specified merchandise distribution route as well as to provide shipment instructions to different carriers which deliver the merchandise items from the dealer, wholesaler and/or supplier to the customers.

The claimed system can enhance the efficiency and reduce the cost of an overall business dealing while retaining the existing business dealing system in which intermediate distributors (dealer, wholesaler, etc.) are involved. For example, suppliers often do not handle all parts of a business transaction such as maintenance, sales, and/or marketing of merchandises/services and these instead are handled by a dealer or retailer).

Hennig does not teach each and every element of the instant claims as required under 35 USC 102 and withdrawal of the instant rejection is requested.

The remaining claims stand rejected over Hennig in view of a variety of prior art that allegedly describes features of the dependent claims: Chelliah (U.S. Patent No. 5,710,887); Haymann (U.S. Patent No. 5,365,046); Loghmani (U.S. Patent No. 6,377,927); DiAngelo (U.S. Patent No. 6,101,482); Fisher (U.S. Patent No. 6,047,264); Ortega (U.S. Patent No. 6,489,968); Andrews (U.S. Patent No. 6,285,986); and Martin (U.S. Patent No. 5,809,479).

Hennig does not teach or suggest the claimed invention as recited by claims 1 and 29 for the reasons described above and hereby incorporated by reference. The secondary references are used for features in the dependent claims. However, none of the secondary references remedy the defects of Hennig.

Chelliah does not teach or suggest merchandise distribution or business transaction routes allowing involvement of intermediate distributors intervening between a supplier and a customer, nor that the routes are separated for each of plurality sorts of merchandise items or services ordered by a customer. Chelliah describes an "Order Fulfillment Legacy System 130" in column 17, lines 22-30, item (iv), but provides no description of how the shipment of the selected products to the customer is performed. Thus Chelliah does not remedy the defects of Hennig.

Haymann is directed to a method of validating credit cards and is unrelated to merchandise distribution or business transaction routes allowing involvement of intermediate distributors intervening between a supplier and a customer. Thus Haymann does not remedy the defects of Hennig.

Loghmani is directed to a voice-optimized database system relating to shopping for items on the internet. Loghmani is not related to merchandise distribution or business transaction routes allowing involvement of intermediate distributors intervening between a supplier and a customer. Thus Loghmani does not remedy the defects of Hennig.

DiAngelo is directed to a universal shopping cart for on-line transaction processing. DiAngelo is not related to merchandise distribution or business transaction routes allowing involvement of intermediate distributors intervening between a supplier and a customer. Thus DiAngelo does not remedy the defects of Hennig.

Fisher is directed to automatically updating the status of customer's orders and shipments via electronic mail. Fisher is not related to merchandise distribution or business transaction routes allowing involvement of intermediate distributors intervening between a supplier and a customer. Thus Fisher does not remedy the defects of Hennig.

Ortega is directed to a system that identifies popular nodes within a browse tree based on historical actions of online users. Ortega is not related to merchandise distribution or business transaction routes allowing involvement of intermediate distributors intervening between a supplier and a customer. Thus Ortega does not remedy the defects of Hennig.

Andrews is directed to a method of interactive, automated registration, negotiation and marketing for combining products and services from one or more vendors together to be sold as a unit. Andrews is not related to merchandise distribution or business transaction routes allowing

involvement of intermediate distributors intervening between a supplier and a customer. Thus Andrews does not remedy the defects of Hennig.

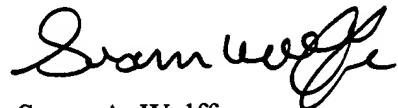
Martin is directed to a computer system to set and report product delivery dates based on the customers desired delivery date. The customers preferences are kept in a computer, e.g. the supplier. Martin is not directed to merchandise distribution or business transaction routes allowing involvement of intermediate distributors intervening between a supplier and a customer. Thus, Martin does not remedy the defects of Hennig.

Withdrawal of the instant rejections is requested.

CONCLUSION

In view of the above amendments and remarks, withdrawal of the rejections and issuance of a Notice of Allowance is requested.

Respectfully submitted,



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Date: June 1, 2004

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